

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL
WILLIAM R. SNODGRASS TENNESSEE TOWER
312 ROSA L. PARKS AVE, 15TH FLOOR
NASHVILLE, TN 37243**

September 25, 2013

CERTIFIED MAIL 7011 0110 0000 4004 9190
RETURN RECEIPT REQUESTED

IN THE MATTER OF:

MAPCO Express, Inc.
dba MAPCO Express #3378
(94-0231)

ORDER NO. 09

Variance Request Granted

On July 5, 2013 (with August 27, 2013 and September 19, 2013 updates), MAPCO Express, Inc. dba MAPCO Express #3378 requested a variance from Stage II Vapor Recovery requirements of the Tennessee Air Pollution Control Regulations (TAPCR) for a gasoline dispensing facility (GDF) in Williamson County. TAPCR Chapter 1200-03-18-.24(3)(c) applies to Stage II Vapor Recovery Standards for Gasoline Storage Vessels and Dispensing Equipment, 1200-03-18.24(4)(b) – Test methods, 1200-03-18.24(5)(a)3(ii) – Notification, Recordkeeping & Reporting requirements and 1200-03-18.24(6) Compliance Demonstration Testing.

The Technical Secretary has investigated the requested variance and finds that the board has the authority under T.C.A. § 68-201-118 to grant variances. The Technical Secretary recommends the variance be granted with such requirements and restrictions as the Board may deem appropriate and reasonable.

Therefore, in accordance with the authority of the Board to grant variances pursuant to T.C.A. § 68-201-118, the Board grants this variance for MAPCO Express #3378 with the following stipulations:

1. During the time period of this variance, the requirements of Rules 1200-03-18-.24(3)(c) of the Tennessee Air Pollution Control Regulations shall not be applicable to the MAPCO Express #3378 facility. MAPCO Express #3378 must comply with all other state and federal air pollution regulations applicable to this GDF.
2. This variance shall become effective on September 25, 2013
3. The term of this variance shall be good for a period of one year; expiring on September 25, 2014 or upon revisions to Rules 1200-03-18-.24(3)(c) of the Tennessee Air Pollution Control Regulations adopted by the Tennessee Air Pollution Control Board becoming state effective, whichever comes first.
4. This variance shall apply only to MAPCO Express #3378 located on 1501 Murfreesboro Road, Franklin, TN 37067 (Williamson County) and is not transferable from one GDF to another GDF.
5. Division Rule 1200-03-09-.01(1)(a) states that no person shall begin construction of a new air contaminant source or modification of an air contaminant source in Tennessee without first having applied for and received a construction permit from the Technical Secretary. A permit to construct shall be issued in accordance with the following criteria:
 - a. Complete the enclosed permit application form (APC 114); instructions are enclosed.
 - b. The responsible official (G. Brian Parnell, Environmental Compliance Manager) for an air contaminant source is required by Rule 1200-03-26-.02 of the Tennessee Air Pollution Control Regulations to pay a construction permit application filing/processing fee. Based on the information provided the fee for your submittal is five hundred (\$500.00) dollars. Please pay your fee by check to the Division of Air Pollution Control, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15th Floor, Nashville, TN 37243. To expedite the processing of your permit application, please submit the requested information as soon as possible, but not later than 180 calendar days from the date you receive this application notice.

It is our intent to pursue rulemaking to remove the requirements to have Stage II Vapor Recovery. Be advised however, if the Board does not elect to delete the requirements of Stage II Vapor Recovery, your company would ultimately need to:

1. Retrofit MAPCO Express #3378 (GDF) to comply with Stage II Vapor Recovery requirements in Chapter 18 of the Tennessee Air Pollution Control Regulations. Or
2. Make a second request for another variance prior to expiration of this variance, citing the reasons that warrant the renewal of the variance.

Please note carefully the stipulations set forth in this variance. Having determined that this variance is proper and lawful, it is entered and approved by the Board on the (September 25, 2013), pursuant to the authority granted by Board Order 12-016. If you have any questions concerning this correspondence, please contact Mr. Will Collins at (615) 532-9198.



Designee of the Air Pollution Control Board